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**MINUTES OF THE PUBLIC HEARING  
BOARD OF MAYOR AND ALDERMEN  
KIMBALL, TENNESSEE  
TOWNHALL MEETING ROOM  
THURSDAY, JULY 1, 2010– 6:00 P.M.**

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A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, July 1, 2010 at 6:00 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor David Jackson, Vice-Mayor Rex Pesnell, Alderman John Keef, Alderman Jerry Don Case, Alderman Mark Payne and Attorney William Gouger, Jr.

Mayor Jackson called the public hearing to order for Ordinance No. 209 – An Ordinance to Amend Ordinance No. 203 Concerning the Budget for the Fiscal Year 2009-2010 for the Town of Kimball, Tennessee and Ordinance No. 210 – An Ordinance Adopting a Budget and Levying a Property Tax for the Fiscal Year July 1, 2010 – June 30, 2011 for the Town of Kimball, Tennessee

**NEW BUSINESS**

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**a) Ordinance No. 209 – An Ordinance to Amend Ordinance No. 203 Concerning the Budget for the Fiscal Year 2009-2010 for the Town of Kimball, Tennessee**

Mayor Jackson explained the amendments.

**b) Ordinance No. 210 – An Ordinance Adopting a Budget and Levying a Property Tax for the Fiscal Year July 1, 2010 – June 30, 2011 for the Town of Kimball, Tennessee**

Mayor Jackson explained the budget which includes a lowered amount for revenues. The general fund budget is \$1,974,554. The budget includes 3% raise for employees. Mayor Jackson wanted to thank the board for the successful workshops and time dedicated to prepare the budget.

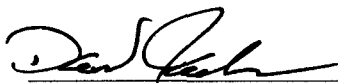
There was no comment by the public.

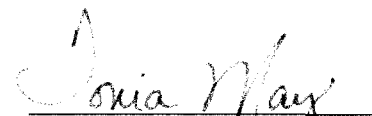
**ADJOURNMENT**

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As there was nothing further to come before the public hearing, motion was made by **Alderman Case** to adjourn. The motion was seconded by **Alderman Payne**. The motion passed unanimously on a board vote.

  
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David Jackson, Mayor

  
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Tonia May, Recorder

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**MINUTES OF THE REGULAR MEETING  
KIMBALL, TENNESSEE  
THURSDAY, JULY 1, 2010**

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A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, July 1, 2010 after the public hearing which began at 6:00 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

Mayor Jackson called the regular meeting to order after the public hearing which began at 6:00 p.m.

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**INVOCATION AND PLEDGE**

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Mayor Jackson asked Ronnie Case to say the invocation over the meeting.

Mayor Jackson led the Pledge of Allegiance.

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**ROLL CALL**

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Mayor Jackson asked Recorder May to call roll. Those present were: Mayor David Jackson, Vice-Mayor Rex Pesnell, Alderman John Keef, Alderman Jerry Don Case, Alderman Mark Payne and Attorney William Gouger, Jr.

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**APPROVAL OF MINUTES**

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On a motion by **Alderman Case**, seconded by **Alderman Keef** the Minutes of the Regular Monthly Board Meeting for June 3, 2010 were approved unanimously on a board vote.

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**OLD BUSINESS**

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Alderman Case wanted to thank the board and town for the food, drinks, flowers, cards, and prayers for his family during their time of loss.

Alderman Case had two other issues for old business as follows: the phone line at the jail has been discussed with Bruce Francis and Audrea Mankin with AT&T. They suggested that the Marion County 911 have a dedicated line for call outs instead of using the 423-837-7554 number and the AC in the office space rented by Marion County E-911 needs to be replaced due to the age of the unit. Mayor Jackson stated it would be ordered tomorrow since the town has to approve budget on second reading tonight.

Mayor Jackson had a couple of items under old business as follows:

- Nelson Lane has been paved. The estimated cost was over \$19,000; however, the bill came in around \$14,000.
- The New Pavilion at the park on Industrial Blvd has been completed. The town will need to purchase tables and trash receptacles for this pavilion.
- Scott Medlin has sent the town an email concerning the Interstate Project. The project was awarded on June 18<sup>th</sup> to Dement Construction Company, Jackson Tennessee for approximately \$13 million with work to start at the end of August or 1<sup>st</sup> of September with project expected completion date being September 2012.

## **SCHEDULED AGENDA ITEMS**

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- a.) **2<sup>nd</sup> and Final Reading of Ordinance No. 209 – An Ordinance to Amend Ordinance No. 203 Concerning the Budget for the Fiscal Year 2009-2010 for the Town of Kimball, Tennessee**

Motion was made by **Alderman Case**, seconded by **Vice-Mayor Pesnell** to approve on 2<sup>nd</sup> and Final Reading of Ordinance No. 209 – An Ordinance to Amend Ordinance No. 203 Concerning the Budget for the Fiscal Year 2009-2010 for the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

- b.) **2<sup>nd</sup> and Final Reading of Ordinance No. 210 – An Ordinance Adopting a Budget and Levying a Property Tax for the Fiscal Year July 1, 2010 – June 30, 2011 for the Town of Kimball, Tennessee**

Mayor Jackson stated the budget has the property tax remaining at \$0.10 per \$100 of the assessed value and a 3% raise for the employees.

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Keef** to approve on 2<sup>nd</sup> and Final Reading of Ordinance No. 210 – An Ordinance Adopting a Budget and Levying a Property Tax for the Fiscal Year July 1, 2010 – June 30, 2011 for the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

- c.) **Marion County Fair**

Ben Bumpus was in attendance to request support for the Marion County Fair which will be held August 24-August 28.

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Case** to approve the donation to the Marion County Fair in the amount of \$600. The motion passed unanimously on a board vote.

- d.) **HLP Construction Company Installation of Catch Basin Between Town Hall and Municipal Building**

Motion was made by **Alderman Keef**, seconded by **Alderman Case** to approve HLP Construction Company to install a catch basin between town hall and the municipal building for \$2,000. The motion passed with Alderman Payne abstaining.

- e.) **Paving Cedar Point Lane**

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to approve the paving of Cedar Point Lane by Marion County Highway Department estimated at \$12,000. The motion passed unanimously on a board vote.

- f.) **Road Repairs to Kimball Cove Road due to issues left by Tinsley Paving**

Issue will be tabled until August meeting.

- g.) **Approval of the Marion County Natural Gas and Board of Water Works and Sewer's Notification of Water and Sewer Rate Increases**

Mayor Jackson stated that beginning today July 1, 2010, the South Pittsburg Water and Sewer rates have a 28% increase for usage.

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve the increase in the water and sewer rates by Marion County Natural Gas and Board of Water Works and Sewer. The motion passed unanimously on a board vote.

- h.) **Appointment of Maintenance Supervisor**

Motion was made by **Alderman Case**, seconded by **Alderman Keef** to appoint Mike Nelson as the Maintenance Supervisor beginning July 6, 2010. The motion passed unanimously on a board vote.

**i.) Ordinance 211 – An Ordinance of the Town of Kimball, Tennessee to Adopt a Fats, Oils and Greases (FOG) Control Program for the Improvement of the Town’s Sanitary Sewer System**

Attorney Gouger stated that he met with Mike Nelson, Alderman Payne, Mayor Jackson and TAUD Representative Dan Martin concerning this ordinance. Dan Martin and Mike Nelson worked to pull the wording and components together on this ordinance. Attorney Gouger thinks there needs to be more involvement on the front end by Mike Nelson, Collection System Operator and the Town’s Building Inspector Earl Geary, Jr. Also, it is recommended to consider a fee schedule to cover the cost the town may incur and include a financial penalty for those that do not comply. The Board will have a workshop during the month on this ordinance.

**j.) Discuss approving up to \$5,000 concerning manhole repairs**

Mayor Jackson requested to spend up to \$5,000 for Conco Spray Solutions to spray a manhole to correct the I&I problems with the manhole. This first manhole to be sprayed is the worst and will be done as a test. If the spray works well, the town will consider spraying the other manholes with problems. Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to approve the Mayor’s request to use Conco Spray Solution for repairs to a manhole with the town spending up to \$5,000. The motion passed unanimously on a board vote.

**k.) Discuss Engineering Firm for Marion County Regional Wastewater Treatment Facility Plant**

Mayor Jackson stated that Southeast Tennessee Development District sent out twenty six requests for engineering firms to submit qualifications for the project with nine engineers submitting information. One of the engineering firms from Nashville responded that they had too many customers. Therefore, eight engineering firms submitted qualification packets on the project which include the following: GRW Chattanooga, McGill & Associates Knoxville, Water Management Nashville, Arcadis Chattanooga, James C. Hailey Co. Nashville, CTI Chattanooga, Jordan, Jones and Golden Chattanooga, Grisham and Smith Partners Chattanooga. The town narrowed the selection to four firms which were GRW, McGill & Associates, Water Management and Arcadis. Each of these firms was given about twenty five minutes for a presentation. The board was provided the estimated cost by each firm. The town will need to select a firm tonight in order to meet the deadlines for applying for the grant and loan. After much discussion, a motion was made by **Alderman Case**, seconded by **Mayor Jackson** to accept the Engineering firm Arcadis contingent upon funding for program and negotiation of a contract for both parties for the Marion County Regional Wastewater Facility Plant. The motion passed with Alderman Payne abstaining. The board will have a workshop on Wednesday, July 7, 2010 at 4:00 pm with Arcadis.

**l.) Discuss Engineering Firm for Reversal of all applicable lines and other items to the New Marion County Regional Wastewater Facility Plant**

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to hire James C. Hailey Company as the Engineer over the reversal of all sewer lines and other items to the New Marion County Regional Wastewater Facility Plant. The motion passed unanimously on a board vote.

**m.) Discuss Sewer to New Chattanooga State Technical Community College Site on Main Street**

Mayor Jackson stated the site’s projected completion date will be before the Fall 2011 Semester. The estimated cost for sewer line installation is \$750,000 with these funds being included in the USDA Rural Development Grant/Loan. The installation for sewer to the college site will cross eighteen of Kimball Citizen’s property and the State’s Right-of-Way once.

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to hire James C. Hailey Company for the engineering work for the sewer line to the new Chattanooga State Technical Community College site on Main Street. The motion passed unanimously on a board vote.

**n.) Jasper Jaycees Donation**

Motion was made by **Alderman Case**, seconded by **Alderman Keef** to approve the donation to the Jasper Jaycees in the amount of \$1,000. The motion passed unanimously on a board vote.

**o.) Ratify bill from Moss Motor Company for Car #82 in amount of \$2,486.27**

Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Pesnell** to ratify the bill from Moss Motor Company for Car #82 in the amount of \$2,486.27 for a new transmission. The motion passed unanimously on a board vote.

**POLICE REPORT**

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Alderman Keef gave an update on the Police Department as follows:

Litigation Tax	\$29.50
Court Costs	\$240.50
Fines	\$40.00
Report Fee	\$60.00
Sessions Court	\$341.05
<b>Total</b>	<b>\$711.05</b>

Alderman Keef stated that the Police Department wanted to thank the board for the pay raise increase. The department has another police car that seems to be having transmission problems.

**FIRE REPORT**

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Vice-Mayor Pesnell gave the fire report for June 2010. The department responded to two calls for the month. The calls were one vehicle fire and one mutual aid call.

**PARK AND RECREATION BOARD REPORT**

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Alderman Keef stated the park board did not meet during June. The New Pavilion looks good. The Soccer and Baseball fields are in fine shape. There will be a soccer camp held at the park next week. This is a combination camp with some being in Kimball and others at South Pittsburg.

**PLANNING COMMISSION REPORT**

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Alderman Case stated the board reviewed the Hampton Inn Site Plan which will be located behind the existing Tennessee/Alabama Fireworks Store. This item was on the agenda for discussion only. The planning commission meets the third Tuesday of every month at 6:00 pm. If there is nothing to discuss in the month of July, the July meeting will be canceled.

**SEWER REPORT**

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Alderman Payne gave a sewer report as follows: the new enzymes that the town is using in the lift are doing a good job and the BOD/TSS samples will be drawn this month.

**ATTORNEY REPORT**

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Attorney Gouger stated that the state has passed a new law that applies to cash bond for traffic citations. This TBI added fee only applies to payments made prior to court for tickets written after July 1, 2010. The fee is an additional \$13.75.

**NEW BUSINESS**

Mayor Jackson had several items under new business as follows:

• The Marion County Partnership has sent the request for the yearly dues in the amount of \$5,000. Motion was made by **Alderman Keef**, seconded by **Alderman Case** to approve the Marion County Partnership dues in the amount of \$5,000 for the 2010-2011 fiscal year. The motion passed unanimously on a board vote.

- Sales Tax for May 2010 was at \$230,149 with May 2009 at \$215,959. The sales tax revenue was up \$14,190 for the month of May.
- The county met on the new flood maps on June 29<sup>th</sup>. The town addressed most of our flood map problems two years ago; however, the town will review the creek going into Mountain Meadows Subdivision and try to get this area corrected. The houses on the river have been moved to a zone X. The town will be required to pass a new ordinance upon the completion of the flood map adjustments.
- Finances

<b>General Fund</b>		<b>Drug Fund</b>	
Checking	\$ 94,077	Checking	\$ 1,678
Payroll	\$ 45,805	<b>State Street Aid</b>	
Savings	\$ 600,367	Checking	\$ 17,271
CD	<u>\$ 434,910</u>	<b>Sewer Fund</b>	
Total	\$1,175,159	Checking	\$ 71,440
		CD	\$ 75,561
		<u>Savings</u>	<u>\$ 101,116</u>
		Total	\$ 248,117

<b>Grand Total</b>	<b>\$1,442,225</b>
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- The tax free weekend will be held August 6, 2010 through August 8, 2010.
- The board will have a workshop on Wednesday, July 7, 2010 at 4:00 pm.


Citizen Lamar Manis wanted to know about the repairs to the water fountain. He also requested a mirror in the men’s restroom for men of all heights.

Mayor Jackson wanted to wish everyone a Happy and Safe 4<sup>th</sup> of July.

**ADJOURNMENT**

As there was nothing further to come before the board, motion was made by **Vice-Mayor Pesnell** to adjourn. The motion was seconded by **Alderman Keef**. The motion passed unanimously on a board vote.

  
 David Jackson, Mayor

  
 Tonia May, Recorder